

## CHAPTER 140

# CONTROLLED ACCESS FACILITIES

140.01 Exercise of Police Power	140.06 Permitted Access Points
140.02 Definition	140.07 Speed Limits
140.03 Right of Access Limited	140.08 Parking Restricted
140.04 Access Controls Imposed	140.09 South Gateway Project
140.05 Unlawful Use of Controlled Access Facility	

**140.01 EXERCISE OF POLICE POWER.** This chapter shall be deemed an exercise of the police power of the City under Chapter 306A, Code of Iowa, for the preservation of the public peace, health, safety and for the promotion of the general welfare.

*(Code of Iowa, Sec. 306A.1)*

**140.02 DEFINITION.** The term “controlled access facility” means a highway or street especially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement or only a controlled right or easement of access, light, air or view by reason of the fact that their property abuts upon such controlled access facility or for any other reason.

*(Code of Iowa, Sec. 306A.2)*

**140.03 RIGHT OF ACCESS LIMITED.** No person has any right of ingress or egress to or from abutting lands onto or across any controlled access facility, except at such designated points at which access is permitted.

*(Code of Iowa, Sec. 306A.4)*

**140.04 ACCESS CONTROLS IMPOSED.** There are hereby fixed and established controlled access facilities within the City, described as follows:

*(Code of Iowa, Sec. 306A.3)*

1. Project No. FG-568 (2). On the Primary Road System extension improvement, Project No. FG-568 (2), Primary Road No. U.S. #65 within the City, described as follows:

*From Sta. 1640 – 16 to Sta. 1652 – 33, beginning at the south corporation line, thence in a northerly direction to Park Avenue*

regulating access to and from abutting properties along said highway, all in accordance with the plans for such improvement identified as Project No. FG-568 (2), on file in the office of the Clerk.

2. Project No. FN-67. On the Primary Road System extension improvement, Project No. FN-67, Primary Roads No. U.S. 20 and 65 within the City, described as follows:

*Beginning at the intersection of Pine Street and Oak Street (Sta. 2-00), thence in a northerly direction to north corporation line*

regulating access to and from abutting properties along said highway all in accordance with the plans for such improvement identified as Project No. FN-67, on file in the office of the Clerk.

**140.05 UNLAWFUL USE OF CONTROLLED ACCESS FACILITY.** (Repealed by Ordinance No. 1155 – Aug. 21 Supp.)

**140.06 PERMITTED ACCESS POINTS.** The compiled list furnished by the Iowa Highway Commission of drives and entrances provided for access under the improvement specified as Project No. FN-67 is hereby recorded as follows:

*(Code of Iowa, Sec. 306A.4)*

STATION	SIDE OF STREET	CURB OPENING WIDTH	USE OF DRIVE OR ENTRANCE
846+78	Left	18 feet	Residential
854+10	Right	24 feet	Roadside Park
857+74	Left	18 feet	Residential
859+65	Right	24 feet	Commercial
861+16	Right	24 feet	Commercial
864+50	Left	18 feet	Residential
867+79	Left	18 feet	Residential
876+19	Right	24 feet	Residential
876+59	Left	30 feet	Residential
876+73	Right	20 feet	Residential
878+12	Left	82 feet	Commercial
878+82	Left	10 feet	Commercial
880+64	Right	16 feet	Residential
881+20	Left	38 feet	Commercial
881+71	Left	22 feet	Commercial
882+46	Left	40 feet	Commercial
883+05	Left	24 feet	Commercial
883+25	Left	24 feet	Commercial
883+76	Left	18 feet	Commercial
883+50	Right	24 feet	Residential
885+92	Left	18 feet	Residential
885+86	Right	18 feet	Residential
886+66	Right	12 feet	Residential
888+54	Right	38 feet	Commercial
888+97	Left	12 feet	Alley
889+15	Right	38 feet	Commercial

STATION	SIDE OF STREET	CURB OPENING WIDTH	USE OF DRIVE OR ENTRANCE
889+82	Right	10 feet	Residential
890+10	Right	40 feet	Commercial
892+04	Left	12 feet	Residential
892+63	Left	14 feet	Alley
892+64	Right	20 feet	Residential
895+55	Right	18 feet	Alley
898+67	Right	14 feet	Alley
899+74	Left	18 feet	Alley
901+80	Right	18 feet	Residential
902+87	Left	18 feet	Alley
904+86	Right	14 feet	Alley
906+00	Left	20 feet	Alley
907+03	Left	24 feet	Residential
907+12	Right	24 feet	Alley
910+57	Left	30 feet	Alley
910+93	Right	40 feet	Alley
917+27	Left	18 feet	Residential
917+85	Left	15 feet	Residential
920+93	Left	20 feet	Residential
920+92	Right	16 feet	Residential
921+10	Left	12 feet	Residential
921+48	Right	50 feet	Commercial
922+18	Right	36 feet	Commercial
923+57	Left	14 feet	Residential
923+56	Right	44 feet	Commercial
923+72	Left	10 feet	Residential
924+65	Left	12 feet	Residential
924+62	Right	26 feet	Commercial
996+69	Right	18 feet	Commercial
997+16	Left	64 feet	Commercial
997+46	Right	16 feet	Commercial
997+91	Right	68 feet	Commercial
998+23	Left	20 feet	Alley
998+40	Right	22 feet	Commercial
998+84	Right	66 feet	Commercial
998+84	Left	34 feet	Commercial
999+33	Left	40 feet	Commercial
1001+33	Right	22 feet	Alley
1001+63	Left	16 feet	Alley
1001+84	Right	50 feet	Commercial
1002+12	Left	30 feet	Commercial
1002+75	Left	32 feet	Commercial
1002+86	Right	24 feet	Commercial
1003+83	Right	18 feet	Commercial
1004+06	Left	30 feet	Commercial
1004+30	Right	22 feet	Commercial
1004+90	Left	12 feet	Residential
1005+25	Right	48 feet	Commercial

STATION	SIDE OF STREET	CURB OPENING WIDTH	USE OF DRIVE OR ENTRANCE
1005+54	Left	48 feet	Commercial
1006+17	Left	10 feet	Commercial
1007+02	Right	36 feet	Commercial
1007+23	Left	54 feet	Commercial
1007+43	Right	30 feet	Commercial
1007+90	Left	54 feet	Commercial
1008+21	Left	14 feet	Alley
1008+64	Right	20 feet	Residential
1011+52	Right	20 feet	Residential
1014+40	Left	12 feet	Residential
1014+75	Left	12 feet	Residential
1014+76	Right	12 feet	Residential
1015+44	Right	14 feet	Residential
1015+44	Left	14 feet	Residential
1017+41	Left	26 feet	Residential
1017+60	Left	14 feet	Residential
1017+85	Right	16 feet	Residential
1017+97	Right	14 feet	Residential
1018+52	Left	14 feet	Residential
1018+67	Left	12 feet	Residential
1020+40	Right	12 feet	Residential
1021+15	Left	16 feet	Residential
1021+32	Left	16 feet	Residential
1021+80	Right	12 feet	Residential
1024+32	Left	16 feet	Residential
1024+32	Right	14 feet	Residential
1024+50	Left	14 feet	Residential
1024+50	Right	18 feet	Residential
1025+51	Right	12 feet	Residential

**140.07 SPEED LIMITS.** The maximum speed limits on said projects are hereby established as follows:

1. Project No. FG-568(2). Speed limits on Project No. FG-568(2) are as follows:
  - A. Northbound Traffic:
    - 35 MPH from Sta 1640-16 to Sta. 1646-00
    - 25 MPH from Sta. 1646-00 to Sta. 1652-33
  - B. Southbound Traffic:
    - 25 MPH from Sta. 1652-33 to Sta. 1646-00
    - 45 MPH from Sta. 1646-00 to Sta. 1652-33
2. Project No. FN-67. Speed limits on Project No. FN-67 are as follows:
  - A. 35 MPH from Sta. 2-00 to Sta. 12-00
  - B. 45 MPH from Sta. 12-00 to Sta. 35-80

**140.08 PARKING RESTRICTED.** The parking of vehicles on or along Project No. FG-568(2) and Project No. FN-67 is prohibited.

**140.09 SOUTH GATEWAY PROJECT.** The purpose of this section is to regulate access to U.S. Highway 65 from the south City limits of the City of Iowa Falls, Iowa, to the intersection of Highway 65 with Country Club Drive in the City of Iowa Falls, Iowa, and restricting access in conjunction with the construction of the South Gateway Project for the purpose of facilitating the safe and efficient flow of motor vehicles along U.S. Highway 65 and to and from abutting properties.

1. **Application.** This section shall apply to all entrance drives to be relocated, located and/or constructed as a part of the South Gateway Project in the City from the south City limits to the intersection of U.S. Highway 65 with Country Club Drive and to any future entrance drives proposed to be located along the specified corridor.
2. **Effective Date.** The effective date of this section shall be upon enactment and publication of the ordinance codified by this section; however, any required changes in entrance or access mandated by this section shall be installed upon the completion of the identified portion of U.S. Highway 65 within the City limits.
3. **Amendments and Changes.** This section or any provisions of this section may be altered or amended by the Council, provided that the changes or amendments do not become effective until after a public hearing has been held, and are subject to specific prior written approval of the Chief Engineer/Highway Division Director of the Iowa Department of Transportation.
4. **Requirements.**
  - A. Whenever possible, entrance drive locations shall be established as a joint access location to serve more than one property ownership.
  - B. Entrance drive locations shall be recorded by the City with the Hardin County Recorder's Office and it shall constitute a restriction placed upon the property served. All provisions of the specified entrance drive location shall be binding upon successors or assigns in ownership of the property.
  - C. The width and radius of entrance drives shall conform to the standard details established by the final design initially by the South Gateway Project and as contained in subsection 7.
  - D. If established as a joint access, each respective property shall perpetuate access for the public at large to the adjacent property by maintaining the access way clear of any obstructions, fixtures, vehicles, plantings, or other impositions to free and clear use of joint entrance drives.
  - E. Maintenance and repair of the entrance drives shall be fully and wholly the responsibility of the adjacent property owners served by the access.
5. **Construction Costs.** The costs of relocating existing access and/or constructing the access drives at the locations specified in this section will be the responsibility of the City under the project grant agreement. The initial costs of any alteration or adjustment of existing parking areas and access drives and other physical improvements on private property necessary to provide connection to the new entrance drive shall also be borne by the City.
6. **Enforcement.** The construction or alteration of any entrance drive covered under this section without specific prior written approval of the City and the Iowa

Department of Transportation shall be subject to change or restoration to conform to the conditions required at the expense of the property owner. If changes are not made, the City shall have the authority to contract for the changes and assess the costs of same to the respective properties and property owners by certification to the County Treasurer for collection with the payment of real estate taxes.

7. Entrance Drive Locations. The location, relocation, width and type of entrance drive established by this section shall be as defined in the following table:

Property Owner	Business	Entrance Drive Centerline Location	Side	Width	Use
Ralph M. Anderson Wal-Mart Stores, Inc.	Agriculture Retail Store	1594+14'	East		Joint
Wal-Mart Store, Inc.	Wal-Mart	1598+74'	East		Single
Miriam Welch	Retail	1601+46'	East		Single
Swinging Bridge LLC	AmericInn	1603+3'	East		Single
EMC Inc. Welch Oil Inc.	Const. Office Phillips 66	1606+65'	East		Joint
Welch Oil Inc.	Phillips 66	1607+87'	East		Single
Herbert J. Lynch et al Campbell Bros. Part. Campbell Bros. Inc.	PlaMor Bowl Retail	1610+28'	East	55'	Joint
River Hills Mall LLC	Retail	1617+84'	East		Single
Dale Howard Inc. Culligan	Auto Retail	1627+50'	East		Joint
Hardin County Tire & Service, Inc.	Retail	1629+35'	East		Single
Hardin County Tire & Service, Inc.	Retail	1630+52'	East		Single
O'Reilly Automotive	Retail	1632+41'	East		Single
Hardin County Tire & Service, Inc.	Retail	1633+22'	East		Single
Agri Pro Ent. IA Inc. Iowa Vet Supply Bernie Ridout LE	Mfg/Distributing Wholesale Restaurant	1634+66'	East		Joint
Bernie Ridout LE Sonnys, Inc.	Restaurant Service	1636+42'	East		Joint
Lanoga Corp.	Hwy. Lumber Co.	1640+73'	East		Single
Midland Inns Inc.	Super 8 Motel	1601+56'	West		Single
Webster City PCA & Farm Credit Services Iowa Select Farms LP	Office Industry	1604+25'	West	50'	Joint
Discount Liquors, Inc. D & M Hatlevig D & M Hatlevig	Retail Pizza Hut Real Estate Office	1609+45'	West		Joint
Iowa Falls Partners & Pennsylvania Corp.	Vacant - Former K-Mart	1611+25'	West		Single
Auto Zone Inc.	Retail	1615+25'	West	62'	Single
Viola G. Brooks C. Grant Brooks	Residential	1616+44'	West	15'	Single
Robert & Ila Jean Palo Ruth L. Hackbarth	Residential	1618+80'	West	35'	Joint
Mid IA Comm. Action	Social Services	1619+78'	West		Single
Warren E. Kness	Residential	1622+2'	West		Single
L.W. Meier	Veterinarian	1623+19'	West		Single
H & E Arrowood S & K Walton	Marine Repairs Retail-Plumbing/htg.	1624+9'	West	48'	Joint

Property Owner	Business	Entrance Drive Centerline Location	Side	Width	Use
Joe & Sheryl Lea	Retail – Glass	1625+18'	West		Single
Barney D. Bushore	Auto Works	1626+3'	West		Single
Barney D. Bushore	Auto Works	1627+30'	West	35'	Single
Franklin Co. Work Activity Center	Activity Center	1628+54'	West		Single
Roger A. Howell Randy Hanson		1629+18'	West		Single
Jay-Maha LLC	Auto Wash	1630+36'	West		Single
Cargill Inc.	Mfg/processing	1635+42'	West	45'	Single

[The next page is 741]